

FILED  
5/18/21 1:33 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	)	Bankruptcy No. 18-23130
	)	
<b>HILARY PAUL SUTTON, II</b>	)	
<b>AND PATRICIA LYNN</b>	)	Chapter 13
<b>SUTTON,</b>	)	
	)	Hearing Date & Time: May 19,
Debtors,	)	2021@10:00 a.m.
	)	
_____	)	
<b>HILARY PAUL SUTTON, II</b>	)	Related to Dkt. No. 49
<b>AND PATRICIA LYNN</b>	)	
<b>SUTTON,</b>	)	
	)	
Movants,	)	
	)	
v.	)	
	)	
<b>RONDA WINNECOUR,</b>	)	
<b>CHAPTER 13 TRUSTEE,</b>	)	
	)	
Respondent.	)	

**AMENDED ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING**

The matter comes before the Court upon Motion of the DEBTORS FOR POSTPETITION FINANCING , at Docket Number 49 ) ("Motion) filed by the Debtors on April 14, 2021. A Certificate of No Objection ("CNO") was filed on May 18, 2021 . Based upon the foregoing, and for good cause shown, it is hereby ORDERED, ADJUDGED, and DECREED that:

1. The Motion at Docket No. 49 is GRANTED as provided by the terms of the Order.

Debtors are authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms.

- a. The total amount of financing **shall not exceed \$30,000.00**; and

b. The monthly payments made under the financing **agreement shall not exceed \$300.00 Monthly Payment.**

2. To the extent the Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan.** Within **30 DAY** of secured financing.
  - a. an amended chapter 13 plan; and
  - b. a report of financing (INCLUDING DETAILS OF AUTOMOBILE TRADE-IN OF SALE, IF APPLICABLE)
3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the Chapter 13 Trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The Supplemental payments shall be in addition to the regular plan payments, pending confirmation of the amended plan.
4. Upon the filing of the report or financing INCLUDING DETAILS OF AUTOMOBILES TRADE-IN OR SALE, IF APPLICABLE, the chapter 13 trustee is authorized to cease in making payments to PREPETITION AUTOMOBILE LENDER on the account of the PREPETITION LOAN CLAIM NUMBER. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection payments to POSTPETITION AUTOMOBILE LENDER for the contract amount so long as sufficient supplemental funds are provided by Debtors.

5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the POSTPETITION AUTOMOBILE LENDER.
6. Debtors shall serve copies of this *ORDER* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Dated: May 18, 2021

Case Administrator to mail to:  
Debtors  
Counsel for Debtors  
Ronda J, Winnecour, Esq,  
Office of the US Trustee

  
GREGORY L. TADDONIO **jah**  
UNITED STATES BANKRUPTCY JUDGE

**ENTERED BY DEFAULT**

In re:  
Hillary Paul Sutton, II  
Patricia Lynn Sutton  
Debtors

Case No. 18-23130-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: May 18, 2021

User: aala  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 20, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Hillary Paul Sutton, II, Patricia Lynn Sutton, 2460 Potomac Avenue, Pittsburgh, PA 15216-2752

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 20, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 18, 2021 at the address(es) listed below:

Name	Email Address
Bradley Joseph Osborne	on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT c/o Rushmore Loan Management Services LLC bosborne@hoflawgroup.com, pfranz@hoflawgroup.com
Brian Nicholas	on behalf of Creditor Select Portfolio Servicing as servicer for ABS REO Trust VI bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor BANK OF AMERICA N.A. bnicholas@kmlawgroup.com
Danielle Boyle-Ebersole	on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT c/o Rushmore Loan Management Services LLC dboyle-ebersole@orlans.com
Jeffrey R. Hunt	on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com cnoroski@grblaw.com

District/off: 0315-2

User: aala

Page 2 of 2

Date Rcvd: May 18, 2021

Form ID: pdf900

Total Noticed: 1

Jeffrey R. Hunt

on behalf of Creditor City and School District of Pittsburgh jhunt@grblaw.com cnoroski@grblaw.com

Joseph Peter Nigro

on behalf of Joint Debtor Patricia Lynn Sutton nigroassociateslaw@gmail.com  
chrissyvock86@gmail.com;jasonjkelley@comcast.net;nigrojr73104@notify.bestcase.com

Joseph Peter Nigro

on behalf of Debtor Hillary Paul Sutton II nigroassociateslaw@gmail.com,  
chrissyvock86@gmail.com;jasonjkelley@comcast.net;nigrojr73104@notify.bestcase.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Raymond M Kempinski

on behalf of Creditor BANK OF AMERICA N.A. ecfmil@mwc-law.com, ecfmil@ecf.courtdrive.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

Thomas Song

on behalf of Creditor Bank Of America N.A. pawb@fedphe.com

TOTAL: 13